

RELEASE DEED

007969

We, **LESTER T. JOLOVITZ**, a single person, **RICHARD P. TOZIER** and **DEBORAH ANN TOZIER**, husband and wife, **CHARLES W. UNDERWOOD** and **THERESA M. UNDERWOOD**, husband and wife, **PERCY B. SMITH, JR.** and **NATALIE S. SMITH**, husband and wife, all as individuals, and **DONALD J. GURNEY, INC.**, **FISHER HOMES**, **FLEET BANK**, and **PEOPLES HERITAGE SAVINGS BANK**, all of which are corporations organized under the laws of Maine, all of Waterville, County of Kennebec and State of Maine, for consideration paid, release to **BARRY L. WHERREN** and **JANE M. WHERREN**, all our rights, title and interest to a certain restrictive covenant as it applies only to the porch facing Barnet Avenue, which reads: "no building, including garages, shall be erected or placed on any part of said land within thirty (30) feet of said Barnet Avenue" and in place thereof allow for a twenty-nine (29) foot setback for said porch as it applies to the following described premises situated in said Waterville, to wit:

Beginning at a steel pin in the northerly line of Barnet Avenue at the southeast corner of Lot #18 and being the southwest corner of the parcel herein described; thence N 11 degrees 56' E a distance of 131.4 feet along the easterly line of said Lot 18 to a steel pin; thence S 78 degrees 04' E a distance of 125 feet to a steel pin; thence S 11 degrees 56' W a distance of 131.4 feet to a steel pin in the northerly line of Barnet Avenue; thence N 78 degrees 04' W a distance of 125 feet along the northerly line of Barnet Avenue to the point of beginning.

Reference is made to Lot #16 on plan of "Barnet Avenue Addition for Lester T. Jolovitz" and to a Warranty Deed from Lester T. Jolovitz to the grantees herein, dated March 8, 1990 and recorded in the Kennebec County Registry of Deeds, Book 3701, Page 50.

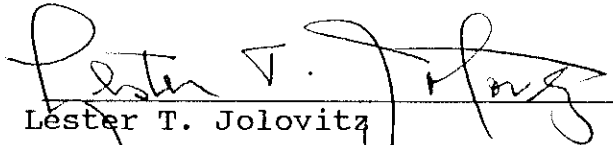
The purpose of this Deed is to release an existing porch constructed on said premises from a thirty (30) foot setback restriction from Barnet Avenue and substitute a twenty-nine (29) foot setback in place thereof. In all other respects the restrictive covenants shall apply and be binding.

The above grantors are all of the owners of premises located in the above referred to "Barnet Avenue Addition for Lester T. Jolovitz".

LESTER T. JOLOVITZ, a single person, **RICHARD P. TOZIER** and **DEBORAH ANN TOZIER**, husband and wife, **CHARLES W. UNDERWOOD** and **THERESA M. UNDERWOOD**, husband and wife, **PERCY B. SMITH, JR.**, and **NATALIE S. SMITH**, husband and wife, all as individuals, and **DONALD J. GURNEY**,

INC., has caused this instrument to be sealed with its corporate seal and signed in its corporate name by DONALD E. GURNEY, President, thereunto duly authorized and PEOPLES HERITAGE SAVINGS BANK, has caused this instrument to be sealed with its corporate seal and signed in its corporate name by CASS E. HIRSCHFELT, its President, thereunto duly authorized and FISHER HOMES, has caused this instrument to be sealed with its corporate seal and signed in its corporate name by CHARLES FISHER, its President, thereunto duly authorized and FLEET BANK has caused this instrument to be sealed with its corporate seal and signed in its corporate name by ~~RANDY~~ David MITCHELL, ~~XXXXXXXXXXXX~~, thereunto duly authorized. Grenier, Assistant Treasurer,

WITNESS our hands and seals this 28th day of March, 1991


Lester T. Jolovitz

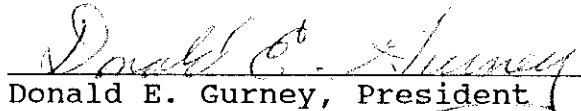

Richard P. Tozier


Deborah Ann Tozier



Charles W. Underwood

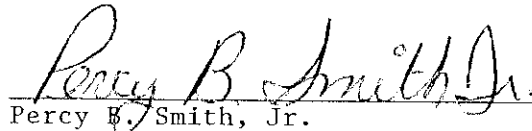

Theresa M. Underwood

Donald J. Gurney, Inc.,

by 
Donald E. Gurney, President

Fisher Homes

by 
Charles Fisher, President


Percy B. Smith, Jr.

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Natalie S. Smith
Natalie S. Smith

Peoples Heritage Savings Bank

by Cass R. Hirschfeld
Cass R. Hirschfeld, Vice President

Fleet Bank

David A. Grenier by David A. Grenier
~~RANDY MITCHELL XXXXXXXXXX~~
David A. Grenier, Assistant Treasurer

THE STATE OF MAINE

Kennebec, ss.

March 28, 1991

Then personally appeared the above named, **Lester T. Jolovitz**,
and acknowledged the foregoing instrument to be ^{his} their free act and
deed,

Before me,

John B. Wlodkowski
Attorney at Law - Notary Public
John B. Wlodkowski

RECEIVED KENNEBEC SS.

1991 MAY -2 AM 9:00

ATTEST: Harold B. [Signature]
REGISTER OF DEEDS